

HOUSE BILL 706

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2003 Regular Session
3lr1464
CF 3lr2131

By: **Delegates Vallario, Amedori, Barkley, Boschert, Boutin, Bronrott, Cadden, Cardin, G. Clagett, Conway, Donoghue, Doory, Dumais, Fulton, Hammen, Healey, Heller, Hixson, Howard, Kach, Love, Mandel, McDonough, Minnick, Morhaim, O'Donnell, Owings, Rudolph, Sophocleus, and Stocksdale**

Introduced and read first time: February 7, 2003
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 12, 2003

CHAPTER _____

1 AN ACT concerning

2 **Public Safety - Mandatory Supervision - Diminution Credits and Sentences**

3 FOR the purpose of broadening the prohibition against awarding certain inmates
4 certain diminution credits on a sentence to apply to inmates who are convicted
5 and sentenced to imprisonment for any crime committed while on mandatory
6 supervision that is later revoked; providing for the application of this Act; and
7 generally relating to diminution credits and mandatory supervision.

8 BY repealing and reenacting, with amendments,
9 Article - Correctional Services
10 Section ~~3-711~~ and 7-502
11 Annotated Code of Maryland
12 (1999 Volume and 2002 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Correctional Services**

16 ~~3-711.~~

17 ~~If an inmate is convicted and sentenced to imprisonment for a crime committed~~
18 ~~while on parole OR MANDATORY SUPERVISION and the parole OR MANDATORY~~
19 ~~SUPERVISION is revoked, diminution credits that were awarded before the inmate's~~

1 ~~release on parole OR MANDATORY SUPERVISION may not be applied toward the~~
2 ~~inmate's term of confinement on return to the Division.~~

3 7-502.

4 (a) An individual on mandatory supervision remains in legal custody until the
5 expiration of the individual's full term.

6 (b) An individual on mandatory supervision is subject to:

7 (1) all laws, rules, regulations, and conditions that apply to parolees; and

8 (2) any special conditions established by a commissioner.

9 (c) If an inmate is convicted and sentenced to imprisonment for a [violent]
10 crime committed while on mandatory supervision and the mandatory supervision is
11 revoked, diminution credits that were awarded before the inmate's release on
12 mandatory supervision may not be applied toward the inmate's term of confinement
13 on return to the Division.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
15 construed to apply only prospectively and may not be applied or interpreted to have
16 any effect on or application to a crime committed while on mandatory supervision
17 before the effective date of this Act.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2003.